

## **ISLAMIC GUIDELINES TO SLAUGHTERING ANIMALS**

By Mufti Muhammad ibn Adam

### **Question**

I have come across Muslims who try and justify that we are permitted to eat the meat of the Jews/Christians, as is, e.g. McDonalds, supermarkets etc on the basis of the opinion given by Yusuf Al- Qaradawi.

They say that, it is perfectly allowed to eat the animal slaughtered by a Christian or a Jew, regardless of the method used in slaughtering. On this basis, they consider meat sold in western supermarkets and other places to be perfectly Halal.

It should be noted that at a conference of the Muslim Arab Youth Association (MAYA) in the U.S. a few years ago, where Sheikh Qaradawi is a regular speaker, he became exasperated upon being asked this question. He has encouraged, in the North American context, where Muslim businesses are present that Muslims buy from these stores as opposed to purchasing from the supermarket.

### **Answer**

In the Name of Allah, Most Compassionate, Most Merciful,

The answer to this question will be divided into three parts:

- 1) The first looks at the Islamic perspective and viewpoint with regards to meat-eating and slaughtering of animals,
- 2) The second deals with the conditions and rules pertaining to a valid slaughter in Shariah,
- 3) The third, in refutation of those who call for the meat sold in western supermarkets to be considered lawful (halal).

### **1. The Islamic Perspective on Eating Meat & Slaughtering Animals**

It is common knowledge that eating meat goes back to the advent of man. Man has been consuming meat from the very early times. However, before the advent of Islam, all possible means were used in order to acquire the meat of animals. The flesh of dead animals was consumed. At times, a part of a living animal's body would be

cut and eaten. No consideration would be taken in preventing the pain and suffering to the defenceless and innocent creatures of Allah Almighty. Then, Allah blessed humanity with His beloved Messenger (Allah bless him & give him peace), as a light and life-giving.

The Sacred Law (Shariah) of Islam that the Messenger of Allah (blessings and peace be upon him) came with from Allah differentiated between a living and a dead animal. Dead animals were declared unlawful (haram). Certain animals that were harmful to the wellbeing of humans were also prohibited, such as: pigs, dogs, cats and wild animals. Animals that were declared lawful (halal) were also subjected to certain rules & regulations, which would ensure that the blood and other impure elements come out from their body as much as possible and that the slaughter be done in a way that was least painful and most merciful to the animal. The ritual nature of the slaughtering also serves as a reminder to humans of the tremendousness of the gift of life, and the blessing of food in general and meat in particular.

The Sacred Law of the beloved Messenger of Allah (blessings and peace be upon him) also distinguished between the consumption of animals and other types of food. Animals are similar to humans, in that they possess a soul and the five senses. They are able to experience pain and pleasure. Due to this fact, it would appear that the consumption of animal meat should not have been lawful for humans. Some people, in different civilizations and times, whose intellects have not been enlightened by the light of revelation, came to this conclusion.

However, Allah Almighty through his infinite Mercy and Grace permitted humans to consume the meat of certain animals. He made humans the best of creations and created everything for their benefit.

Allah Most High Says:

*"It is He, who has created for you all things that are on earth."*  
(*Qur'an, al-Baqarah, 2.29*)

With this, Islam stands out from the man-made religions and faiths, in that it has appointed and fixed certain methods and ways for the slaughtering of animals. It has laid down principles, and prescribed laws without which the animals are not lawful to consume.

The issue of slaughtering animals is not a normal and mundane issue, in which an individual may act as he/she desires, without being restricted to rules and principles. Rather, it is regarded from

the acts of worship, and there is sacredness associated with it, for the reasons mentioned above.

The Messenger of Allah (Allah bless him & give him peace) said:

*"Whoever prays our prayer and faces our Qiblah and eats our slaughtered animals, is a believer who is under Allah's and His Messenger's protection."* (Recorded by Imam al-Bukhari on the authority of Anas ibn Malik (Allah be pleased with him))

In another Hadith, the Messenger of Allah (Allah bless him & give him peace) stated:

*"I have been ordered to fight the people until they say: "There is no God but Allah". When they do so, and pray like our prayers, face our Qiblah and slaughter as we slaughter, then their blood and property will be sacrosanct except by due legal right."* (Sahih al-Bukhari)

The above two narrations of the blessed Messenger of Allah (Allah bless him & give him peace) are very clear in determining that, the slaughtering of animals holds a significant position in Shariah. The Prophet (Allah bless him & give him peace) counted the slaughtering of animals with praying Salat and facing the Qiblah. He considered it from those specific features of Islam, which distinguishes a Muslim from a non-Muslim and regarded it as one of the hallmarks of a true believer with which his life and wealth is protected.

Therefore, those who believe that the slaughtering of animals is a normal and non-religious affair and that one may practice the slaughter in any manner one wishes, are clearly in contradiction with the sayings and guidance of the Messenger of Allah (Allah bless him & give him peace). How can one regard it as a purely mundane act when our beloved Prophet (Allah bless him & give him peace) considered it to be sign of a Muslim?

Thus, it can be seen that the Shariah is very clear with regards to the consumption of animals. It has prescribed certain principles, rules, regulations and laws to which a Muslim must adhere. Some of these laws are connected to the actual lawfulness of the animal and others to the slaughtering of the animal. Failing to comply with these rules may well render the animal **Haram**.

## **2. The Conditions & Rules Pertaining To A Valid Slaughter In The Sacred Law**

The rules and laws governing hunting and slaughtering are given great importance in traditional Islamic jurisprudence, because of the importance Allah and His Messenger (Allah bless him & give him peace) gave them.

The fuqaha (jurists) have explained these rules in great detail in their various works, deducing from the Qur'an, Prophetic example (sunna), and the sayings of the Companions (Allah be pleased with them). Very rarely will one find a book in traditional Islamic jurisprudence without a complete chapter on hunting and slaughtering.

We can obviously not cover all of these rules in this brief article; neither is that our aim, but the basic fundamentals and important principles with regards to the slaughtering of animals can be mentioned.

There are basically three conditions for a valid slaughter according to Shariah:

Most of the four veins (including the Jugular vein, according to some) must be cut with a knife or a tool that is sharp and has a cutting edge;

The name of Allah must be taken at the time of slaughtering, whether actually or effectively (such as when it is forgotten by someone who would normally have said it);

The slaughterer must be either a Muslim or from the People of the Book (Ahl al-Kitab). (As mentioned by al-Haskafi and Ibn Abidin in Radd al-Muhtar `ala al-Durr al-Mukhtar)

It should be also remembered here that, all these conditions are necessary individually and separately. Failure to fulfil them will render the animal unlawful.

Let us look at these rules and conditions in more detail:

### The **First Condition**

**Those** animals which are within ones capacity to slaughter, whether domesticated or wild, it is necessary that its blood is shed by a tool that has a cutting edge, and that it kills the animal with its sharpness and not by its force. This sharp thing may be a knife or anything else. However, it is disliked (makruh) to use a tooth or a claw in the Hanafi School and impermissible to do so in the Shafi'i school. (Ibn Abidin, Radd al-Muhtar, 5/208)

Allah Almighty says:

*"Forbidden to you (for food) are: dead meat, blood, the flesh of swine, and that which has been invoked the name of other than Allah, that which has been killed by strangling, or by a violent blow, or by a headlong fall, or by being gored to death, that which has been (partly) eaten by a wild animal, unless you are able to slaughter it (before the animal dying due to the above causes)."* (Qur'an, Surah al-Ma'idah, 5.3)

In a rigorously authenticated (sahih) Hadith recorded by Imam al-Bukhari and others, the Messenger of Allah (Allah bless him & give him peace) said:

*"If the killing tool causes the blood to gush out, and the name of Allah is mentioned, then eat (of the slaughtered animal), but do not use a nail (claw) or a tooth."* (Sahih al-Bukhari)

Sayyiduna Abd Allah ibn Abbas (Allah be pleased with him) reports that the Messenger of Allah (Allah bless him & give him peace) said:

*"Whatever cuts the jugular veins, then (after cutting it) eat the animal."* (Muwatta of Imam Malik, 2/489)

Ibn Abbas and Abu Huraira (Allah be pleased with them) report:

*"The Messenger of Allah (Allah bless him & give him peace) prohibited the Sharita of Shaytan. It is an animal which is slaughtered by cutting it open and the veins are not cut, and it is then left to die."* (Sunan Abu Dawud)

From the above Hadiths and other evidences, the fuqaha (jurists) have deduced that for the animal to be lawful (halal) it is necessary that its veins are cut open in a way that the blood streams and gushes out. This is to make sure that the impure elements are removed from the animal as much as possible.

The Fuqaha differ as to which of the veins must be cut. According to Imam Shafi'i, both the wind pipe and the gullet must be slit in order for the animal to be lawful. According to our (Hanafi) school, three from the four must be cut. However, all the fuqaha agree that the place to slaughter is the throat and the upper part of the chest.

## **The Second Condition**

As far as the second condition (taking Allah's name) is concerned, the majority of the jurists are of the view that, this is necessary. If one failed to recite Allah's name intentionally and deliberately, the animal will be unlawful to consume. However, if it is left out due to forgetfulness, it will remain Halal, as the primary texts indicate.

This is the ruling according to the majority of the jurists. It is usually related from Imam Shafi'i (Allah be pleased with him) that the animal will be Halal even in the situation of leaving pronouncing the name of Allah intentionally, and to recite the name of Allah is merely a Sunnah. However, my respected teacher, Shaykh Mufti Taqi Usmani (Allah preserve him) argues (after giving proofs from the extensive works of the Shafi'i school) that, this is only when it occurs infrequently. If a habit is made of leaving pronouncing the name of Allah due to negligence and taking the matter lightly, it will not be permissible according to the Shafi'i school also.

Some evidences regarding the necessity of pronouncing the name of Allah when slaughtering:

Allah Most High says: *"Eat not of (meats) over which Allah's name has not been pronounced. That would be impiety."* (al-An' am, V. 121)

The above text is clear in determining the necessity of taking the name of Allah when slaughtering, and the unlawfulness of the animal when it is left out, as the major Qur'anic commentators explain.

Allah Almighty says:

*"They ask you what is lawful for them (as food). Say: Lawful unto you are (all) things good and pure and what you have taught your trained hunting animals (to catch) in the manner directed to you by Allah. Eat what they catch for you and pronounce the name of Allah over it."* (al-Ma'idah, V.4)

Allah Almighty says:

*"Why should you not eat of (meats) on which Allah's name has been pronounced?"* (al-An'am, V. 119)

Jundub ibn Sufyan al-Bajali narrates that:

*"Once we offered some animals as sacrifices with the Messenger of Allah. Some people slaughtered their sacrifices before the Eid prayer. When the Prophet (Allah bless him & give him peace) completed his prayer, he saw that they had slaughtered before the prayer. He said: "Whoever slaughtered before the prayer, should slaughter another animal (sacrifice) in place of it and those who did*

*not slaughter until we prayed, should slaughter by mentioning Allah's name."* (Sahih al-Bukhari)

The Third **condition**

**The third** condition is that the slaughterer must be either a Muslim or from the people of the book (Ahl al-Kitab). The animal slaughtered by other than Muslims or the People of the Book (namely, Jews and Christians, if the other conditions are also fulfilled) is Haram according to all the jurists of Islam. Scholarly consensus (ijma`) has been transmitted on this matter by major authorities. (See: Ibn Qudama, al-Mughni 9.312, and other works)

Allah Most High says:

*"Today are (all) things good and pure made lawful unto you. The food of the People of the Book is lawful unto you and yours is lawful unto them."* (Surah al-An'am, V. 5)

The meaning of "food" in the above verse is specifically the animals slaughtered by the People of the book (Christians and Jews). (See Tafsir Ibn Kathir, 2/19).

Overtly, the above verse reads that the animal slaughtered (zabiha) by the People of the Book is permissible and lawful to consume. However, there is a fundamental principle in the science of the exegesis of the Holy Qur'an (Tafsir) which states, very understandably, that, "One part of the Qur'an explains the other." (See: Qurtubi's introduction to his al-Jami` li Ahkam al-Qur'an, and Suyuti's al-Itqan fi `Ulum al-Qur'an)

Therefore, this verse should be understood in the light of another verse mentioned earlier relating to the same matter:

*"Eat not of (meats) on which Allah's name has not been pronounced"* (al-An'am, 121).

In light of the both verses, it is deduced and understood that the Zabiha of the Ahl al-Kitab is only permissible when the name of Allah is taken at the time of slaughtering the animal, and the slaughtering itself is done in the proper manner. As mentioned earlier, this condition of reciting the name of Allah is independently necessary. This is discussed further in the following section.

### **3. Regarding the Claims of Those Who State That Western Supermarket Meats Are Halal**

**Now** we look at the claims made by certain groups that the meat available in western supermarkets is Halal. From among such people is also one of the renowned contemporary scholars Shaykh Yusuf al-Qaradawi, as rightly pointed out by the questioner.

I would not like to offend anybody here, rather, to point out to the truth. Shaykh Yusuf al-Qaradawi is a great scholar who has done great service to Islam, and conveyed its message and rulings to people few others have been able to reach. May Allah reward him greatly for this, thus it is unbecoming for a mere student like me to criticize him. But this is a unique aspect of our religion that it enables and empowers students and lesser people to stand up for the truth. And it is only the barakah of these great scholars themselves that enables those less than them to bring their views forward. And all, ultimately only seek the truth and Allah's acceptance.

Regarding Shaykh Yusuf al-Qaradawi, I think the following excerpt of our moderator Sayyidi Faraz Rabbani is sufficient, which was posted earlier:

*"Traditional scholars caution about Shaykh Qaradawi's fiqh methodology and especially his excessive leniency that often reaches the point of laxity. This is because he does not limit himself to reliable positions within the four Sunni schools of Fiqh, and is notorious among scholars for many aberrant stances and positions. They respect him as a scholar, but they are cautious and caution others about positions he takes that depart from the mainstream."*

The basis of Shaykh Qaradawi's argument is that the verse of the Holy Qur'an which permits the food of the People of the Book (mentioned earlier) is general and includes their meats, produce and other foods irrespective of the way the slaughter took place, and whether the name of Allah was taken or not.

Also, he argues, the food of the Christians and Jews is permitted on the basis of the original permissibility of things, as Allah did not prohibit it.

In summary, there are two questions which arise here:

Is it necessary for the people of the Book to slaughter the animal according to the method prescribed by Shariah?

Is it necessary for them to take the name of Allah?

The First **Question**



**Is it necessary for the people of the Book to slaughter the animal according to the method prescribed by Shariah?**

**As far as** the first question is concerned, the overwhelming majority of the jurists (fuqaha) are of the view that, the slaughtering of the People of the Book will only be Halal if they slaughter the animal according to the principles set down by Shariah.

Below are some of the evidences which signify this:

Allah Almighty says in Surah al-Ma'idah:

*"Forbidden to you are: dead meat, the flesh of swine, and that on which has been invoked the name of other than Allah, that which has been killed by strangling, or by a violent blow, or by a headlong fall, or by being gored to death, that which has been partly eaten by a wild animal, unless you are able to slaughter it." (Qur'an, 5.3).*

Swine has been declared unlawful in this verse, as has been the animal which was strangled to death or was killed by a violent blow. If one considers animals strangled by the Ahl al-Kitab to be lawful will also have to regard the meat of swine Halal, as both have been mentioned in the same context, and also it is from the "food of the People of the Book".

The meaning of the verse "The food of the *People of the Book* is lawful unto you" is that they are considered as equal to the Muslims with regards to the slaughter of animals, not surpass them. How can it be that the animal slaughtered by someone of the People of the Book is Halal regardless of the procedure used in slaughtering, and the animal slaughtered by a Muslim in the same manner is deemed unlawful?

Islam made a distinction between the Ahl al-Kitab and other non-Muslims with regards to slaughter and marriage, as their laws in these two aspects were very similar to those of Muslims. For example, it is stated in the Jewish book The Mishnah:

*"If he slaughtered with a hand-sickle or with a blunt glass or with a reed, what he slaughters is valid. All may slaughter and at any time and with any implement excepting a reaping sickle or a saw or teeth or the finger-nails, since these choke." (The Mishnah, hullin 1, P.513)*

The above is clear in determining that the permissibility of consuming meat slaughtered by Christians and Jews is only because they adhere to the principles set down by Islam.

If one was to marry a Christian or a Jewish girl, but not in accordance with the laws of the Shariah, such as the need for

witnesses and not marrying an immediate family member, it would be considered unlawful without disagreement. Then why is their difference in the issue of slaughtering animals? There are also other evidences, but I will suffice with these, as not to prolong our discussion.

The Second Question

Is **it necessary for them to take the name of Allah?**

**Regarding the taking of Allah's name** by the people of the book, there is a difference of opinion between the jurists.

According to the Hanafi and Hanbali Schools, this is a condition for the animal to be Halal. (See: Kasani, Bada'i` al-Sana'i` , 5.46). Also here, the reason why an animal slaughtered by the Ahal al-Kitab is Halal is because they used to take Allah's name when slaughtering the animal.

Then there is another aspect to this issue, which is that, many people in the West claim to be Christians. This claim is not true insofar as they do not firmly believe in God, a revealed book, and a prophet, regardless of the nature of their beliefs in these matters. Rather, they are often Christians only by name and do not actually believe in any religion. Thus, they cannot be termed People of the Book. They are atheists and it is not permissible to consume the animal slaughtered by them, by scholarly consensus.

In conclusion, the meat sold in western supermarkets or served by Christians will be unlawful as they generally do not fulfil the conditions of a valid slaughtering and that they are usually not true Christians. Kosher meat, would be however, in itself permitted. Top scholars across the Muslim world, including Shaykh Qaradawi himself say that Muslims should avoid Kosher meat due to the Zionist oppression in Palestine.

And Allah Knows Best